

PATENT  
Attorney Docket No.: HYP-043



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS:	Lu et al.	BATCH NO.:	V97
SERIAL NO.:	09/119,163	GROUP NO.:	3742
FILING DATE:	July 20, 1998	EXAMINER:	M. Paschall
TITLE:	ELECTRODE FOR A PLASMA ARC TORCH HAVING AN IMPROVED INSERT CONFIGURATION		

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Assistant Commissioner for Patents  
Washington, D.C. 20231

**LETTER OF CLARIFICATION**

As discussed with Examiner Mark Paschall on August 4, 2000, there is an error in the Supplemental Notice of Allowability (Paper No. 12), mailed July 11, 2000. A copy of the Supplemental Notice of Allowability is enclosed. The Supplemental Notice of Allowability incorrectly lists the allowed claims as 1, 2, 4-10, and 12-14.

In contrast, the original Notice of Allowability (Paper No. 8), mailed July 19, 1999, correctly lists the allowed claims as claims 1, 2, 4-10, and 12-40. A copy of the Notice of Allowability is enclosed. Applicants respectfully request correction in due course.

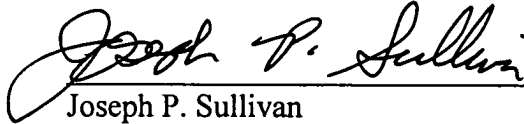
The Examiner is invited to telephone Applicants' undersigned representative to discuss any outstanding issues.



**FEE AUTHORIZATION**

Should any fee be required with the submission of this paper the Commissioner is authorized to charge the missing fee to our Deposit Account, No. 20-0531.

Respectfully submitted,

  
\_\_\_\_\_  
Joseph P. Sullivan

Attorney for the Applicants  
Testa, Hurwitz, & Thibeault, LLP  
High Street Tower  
125 High Street  
Boston, Massachusetts 02110

Date: August 4, 2000  
Reg. No.: 45,349

Tel. No.: (617) 248-7677  
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PATENT  
Attorney Docket No. HYP-043

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09/15/00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Lu et al.  
SERIAL NO.: 09/119,163 GROUP NO.: 3742  
FILED: July 20, 1998 EXAMINER: M. Paschall  
TITLE: ELECTRODE FOR A PLASMA ARC TORCH HAVING AN  
IMPROVED INSERT CONFIGURATION

**CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8**

I hereby certify that this correspondence, and any documents referred to as enclosed herein, are being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed Assistant Commissioner for Patents, Washington, DC 20231 on this 4th day of August, 2000.

*Mary E. Higdon*  
Mary E. Higdon

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Submitted herewith are the following:

Transmittal Form (1 pg.); Letter of Clarification (2 pp.); Supplemental Notice of Allowability (4 pg.) (copy); Notice of Allowability (1 pg.) (copy); Associate Power of Attorney (1 pg.); and a return receipt postcard.

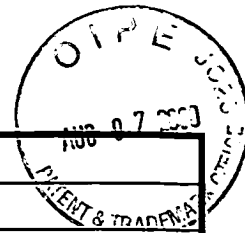
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07.19.99  
OK to Enter

# TRANSMITTAL FORM

Application Serial Number	09/119,163
Filing Date	July 20, 1998
First Named Inventor	Lu
Group Art Unit	3742
Examiner Name	M. Paschall
Attorney Docket No.	HYP-043



## ENCLOSURES (check all that apply)

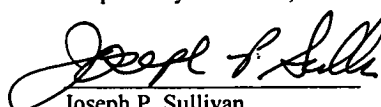
- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Check Attached<br><input type="checkbox"/> Copy of Fee Transmittal Form<br><br><input type="checkbox"/> Amendment/Response<br><br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____]<br><br><input type="checkbox"/> Extension of Time Request<br><br><br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Form PTO-1449<br><input type="checkbox"/> Copies of IDS Citations<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><br><input type="checkbox"/> Response to Missing Parts/Incomplete Application | <input type="checkbox"/> Copy of Notice to File Missing Parts of Application (PTO-1553)<br><br><input type="checkbox"/> Formal Drawing(s)<br><br><input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition to Convert to a Provisional Application<br><br><input type="checkbox"/> Power of Attorney (Revocation of Prior Powers)<br><br><input type="checkbox"/> Terminal Disclaimer<br><br><input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application<br><br><input type="checkbox"/> Small Entity Statement<br><br><input type="checkbox"/> Request for Refund<br><br><input type="checkbox"/> After Allowance Communication to Group | <input type="checkbox"/> Appeal Communication to Board of Patent Appeals and Interferences<br><br><input type="checkbox"/> Appeal Communication to Group ( <i>Appeal Notice, Brief, Reply Brief</i> )<br><br><input type="checkbox"/> Status Letter<br><br><input type="checkbox"/> Return Receipt Postcard<br><input type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8<br><input checked="" type="checkbox"/> Additional Enclosure(s) ( <i>please identify below</i> )<br><br>Letter of Clarification<br>Supplemental Notice of Allowability (copy)<br>Notice of Allowability (copy)<br>Associate Power of Attorney |
|--|---|---|

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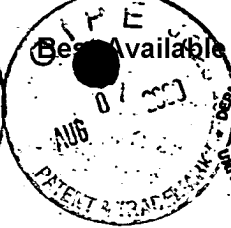
## CORRESPONDENCE ADDRESS

Direct all correspondence to: Patent Administrator  
 Testa, Hurwitz & Thibault, LLP  
 High Street Tower  
 125 High Street  
 Boston, MA 02110  
 Tel. No.: (617) 248-7000  
 Fax No.: (617) 248-7100

## SIGNATURE BLOCK

Respectfully submitted,  
  
 Joseph P. Sullivan  
 Attorney for Applicants  
 Testa, Hurwitz & Thibault, LLP  
 High Street Tower  
 125 High Street  
 Boston, MA 02110

Date: August 4, 2000  
 Reg. No. 45,349  
 Tel. No.: (617) 248-7677  
 Fax No.: (617) 248-7100



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NO.

FILING DATE

FIRST NAMED INVENTOR

ATTORNEY DOCKET NO.

09/119.163

07/20/98

LU

HYP-043(452)

021323

QM61/0711

EXAMINER

PASCHALL, M

TESTA HURWITZ & THIBEAULT

HIGH STREET TOWER

125 HIGH STREET

BOSTON MA 02110

ART UNIT

PAPER NUMBER

3742

DATE MAILED:

07/11/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

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COPY



**Available Copy**  
**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER NUMBER
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12

DATE MAILED:

This is a communication from the examiner in charge of your application.  
COMMISSIONER OF PATENTS AND TRADEMARKS

*supplemental*  
**NOTICE OF ALLOWABILITY**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course.

☒ This communication is responsive to Papers filed 11-22-99, 8/16/99

☒ The allowed claim(s) is/are 1, 2, 4-10, 12-14

☐ The drawings filed on \_\_\_\_\_ are acceptable.

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some ☐ None of the CERTIFIED copies of the priority documents have been received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE THREE MONTHS FROM THE "DATE MAILED" of this Office action. Failure to timely comply will result in ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.

☐ Applicant MUST submit NEW FORMAL DRAWINGS

☐ because the originally filed drawings were declared by applicant to be informal.

☐ including changes required by the Notice of Draftperson's Patent Drawing Review, PTO-948, attached hereto or to Paper No. \_\_\_\_\_

☐ including changes required by the proposed drawing correction filed on \_\_\_\_\_, which has been approved by the examiner.

☐ including changes required by the attached Examiner's Amendment/Comment.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the reverse side of the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftperson.

☐ Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any response to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

**Attachment(s)**

☐ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s) \_\_\_\_\_

☐ Notice of Draftperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

☐ Interview Summary, PTO-413

☐ Examiner's Amendment/Comment

☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

☐ Examiner's Statement of Reasons for Allowance

☒ 3.12 Amended Response PTO 271

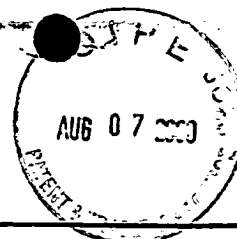
PTOL-37 (Rev. 10/95)

*Mark Paschall*  
**Mark Paschall**  
**Primary Examiner**



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FORM PTO - 1449

SUPPLEMENTAL INFORMATION  
DISCLOSURE STATEMENT

ATTORNEY DOCKET NO.: HYP-043

APPLICANT(S): Lu et al.

SERIAL NO.: 09/119,163

Batch No. V97

FILING DATE: July 20, 1998

GROUP: 3742

## U.S. PATENT DOCUMENTS

EXAM. INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
<i>W</i>	AZ	5,767,478	06/16/98	Walters	219	121.52	08/14/97

## FOREIGN PATENT DOCUMENTS

EXAM. INIT.		DOCUMENT NUMBER	DATE	COUNTRY CODE	CLASS	SUB CLASS	FILING DATE	ABSTRACT ONLY	ENGLISH LANG Y/N
<i>M</i>	BE	0 465 109 A2	01/08/92	EPO	<del>B23K</del>	<del>10/00</del>	06/26/91	<del>_____</del>	<del>Y</del>
<i>M</i>	BF	0 476 572 A2	03/25/92	EPO	<del>G22C</del>	<del>29/06</del>	09/16/91	<del>_____</del>	<del>Y</del>

## OTHER ART, JOURNAL ARTICLES, ETC.

EXAM. INIT.	OTHER DOCUMENTS: (Including Author, Title, Date, Relevant Pages, Place of Publication)								

EXAMINER Mark Paschall  
Primary Examiner

DATE CONSIDERED

6/30/08

Jsullivan4527/52.892692-1

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APPLICATION NUMBER 6-3 077 FILING DATE LU FIRST NAMED APPLICANT ATTORNEY DOCKETING 043 4527

921323  
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BOSTON MA 02110

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PATENT DEPARTMENT  
TESTA, HURWITZ & THIBEAULT, LLP

THP-043  
PASCHALL, M

ART UNIT 742 PAPER NUMBER

DATE MAILED: 12/11/00

Response to Rule 312  
Communication

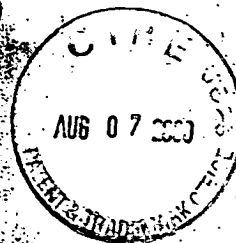
- ☐ The petition filed on \_\_\_\_\_ under 37 CFR 1.312(b) is granted. The paper has been forwarded to the examiner for consideration on the merits.

\_\_\_\_\_  
Director,  
Patent Examining Group

- ☒ The amendment filed on 6/16/00 under 37 CFR 1.312 has been considered, and has been:

- ☐ entered.  
☒ entered as directed to matters of form not affecting the scope of the invention (Order 3311).  
☐ disapproved. See explanation below.  
☐ entered in part. See explanation below.

*Mark Paschall*  
Mark Paschall  
Primary Examiner



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09944-9/165	67728/958	111	FIRST NAMED APPLICANT	2	ATTORNEY DOCKET NO. HYP-04314527
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021323  
TESTA HURWITZ & THIBEAULT  
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BOSTON MA 02110

QM01/0719

EXAMINER  
PASCHALL, M

ART UNIT 3742	PAPER NUMBER 8
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07/19/99

DATE MAILED:

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JUL 21 1999

TESTA HURWITZ & THIBEAULT  
NOTICE OF ALLOWABILITY

PART I.

- PAPERS FILED 05/10/99
- ☒ This communication is responsive to 1, 2, 4-10, 12-40
  - ☒ All the claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance And Issue Fee Due or other appropriate communication will be sent in due course.
  - ☒ The allowed claims are 1, 2, 4-10, 12-40 are acceptable.
  - ☐ The drawings filed on 1, 2, 4-10, 12-40 are acceptable.
  - ☐ Acknowledgment is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received. ☐ not been received. ☐ been filed in parent application Serial No.          filed on
  - ☐ Note the attached Examiner's Amendment.
  - ☐ Note the attached Examiner's Interview Summary Record, PTO-413.
  - ☐ Note the attached Examiner's Statement of Reasons for Allowance.
  - ☐ Note the attached NOTICE OF REFERENCES CITED, PTO-892.
  - ☐ Note the attached INFORMATION DISCLOSURE CITATION, PTO-1449.
  - ☒ Note the attached INFORMATION DISCLOSURE CITATION, PTO-1449.

PART II.

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE THREE MONTHS FROM THE "DATE MAILED" indicated on this form. Failure to timely comply will result in the ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- ☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152; which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.
- ☒ APPLICANT MUST MAKE THE DRAWING CHANGES INDICATED BELOW IN THE MANNER SET FORTH ON THE REVERSE SIDE OF THIS PAPER.
  - ☐ Drawing informalities are indicated on the NOTICE RE PATENT DRAWINGS, PTO-948, attached hereto or to Paper No.         . CORRECTION IS REQUIRED.
  - ☐ The proposed drawing correction filed on          has been approved by the examiner. CORRECTION IS REQUIRED.
  - ☐ Approved drawing corrections are described by the examiner in the attached EXAMINER'S AMENDMENT. CORRECTION IS REQUIRED.
  - ☒ Formal drawings are now REQUIRED.

Any response to this letter should include in the upper right hand corner, the following information from the NOTICE OF ALLOWANCE AND ISSUE FEE DUE: ISSUE BATCH NUMBER, DATE OF THE NOTICE OF ALLOWANCE, AND SERIAL NUMBER.

Attachments:

- Examiner's Amendment
- Examiner Interview Summary Record, PTO-413
- Reasons for Allowance
- Notice of References Cited, PTO-892
- Information Disclosure Citation, PTO-1449
- Notice of Informal Application, PTO-152
- Notice re Patent Drawings, PTO-948
- Listing of Bonded Draftsmen
- Other

Mark Paschall  
Primary Examiner

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